

REMARKS

Claims 1-29 are pending in the present application. Claims 6, 17, and 26 have been amended. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 112, Second Paragraph

The examiner rejects as indefinite claims 6, 17, and 26 under 35 U.S.C. § 112, second paragraph. Applicants have amended the claims accordingly. Therefore the rejection of claims 6, 17 and 26 under 35 U.S.C. § 112, second paragraph has been overcome.

II. 35 U.S.C. § 102, Asserted Anticipation

The examiner rejects claims 1, 3, 10, 12, 14, 21 and 23 under 35 U.S.C. § 102(e) as anticipated by *Chiang, Transparent User and Session Management for Web Applications*, U.S. Patent Publication 2001/0047477 (Nov. 29, 2001) (hereinafter "*Chiang*"). This rejection is respectfully traversed.

Regarding claim 1, the examiner states that:

As per claim 1, *Chiang* discloses a method in a data processing system for managing access to a set of applications associated with a universal resource locator, the method comprising (Paragraph 0055: set of applications are individual instances of a selected application); receiving a request, wherein the request includes the universal resource locator (Paragraph 0054) and a user identification (Fig. 4, block 403); and directing the request to a selected application within the set of applications using the universal resource locator and the user identification (Paragraph 0054: user identification converted to JVLSession cookie; Paragraph 0055: URL plus session cookie direct to a specific application instance).

Office Action of February 15, 2005 (pp. 3-4).

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034

(Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case each and every feature of the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claims.

Claim 1 provides as follows:

1. A method in a data processing system for managing access to a set of applications associated with a universal resource locator, the method comprising:
 - receiving a request, wherein the request includes the universal resource locator and a user identification;
 - and
 - directing the request to a selected application within the set of applications using the universal resource locator and the user identification.

Chiang does not anticipate claim 1 because *Chiang* does not show or suggest the claimed feature of directing the request to a selected application within the set of applications using the universal resource locator and the user identification. In the claimed invention, a request is directed to a selected application using one universal resource locator (URL) and the user identification. *Chiang* is devoid of disclosure regarding this claimed feature.

The examiner states otherwise, citing the following sections of *Chiang* for this step:

[0054] After the user fills in the username and password and submits the form to the central server 18 (step 403), the runtime environment authenticates the user relative to the appropriate fields of the user database 30 (step 404). Next, at step 405, if authentication is successful, the runtime environment returns a redirection response to the original request URL together with a single cookie (also referred to herein as the JLVSession cookie, which may contain a static, unchanging value) that includes a random number generated by the central server 18 via random number generator 21 for uniquely identifying the user and the session (step 407), after which the process 400 continues as described further below. If, however, at step 405 the authentication is unsuccessful (i.e. no corresponding user name and password is found), the runtime environment notifies the user that the session is inaccessible (step 406), after which the process 400

ends. Alternatively, in environments which allow for such, the user name and password may be added to the user database 30 as a new record, thereby identifying the user as a new user and allowing the user to access the web application.

[0055] Returning to step 407, *for each request* with a JLVSession cookie after successful sign-in, *the runtime environment uses the JLVSession cookie value from field 36 to identify the user from whom the request originated (step 408), retrieves the instance of a user object corresponding to that particular user (step 409), and finally passes the request to the user object (step 410). The user object in turn uses the URL within the request to identify the web application that is targeted.* If an instance of the web application has not been created, the user object will create a new instance of the web application (step 411). After that, the user object simply passes the request to the web application instance. The web application instance processes the request, stores any application states in its instance variables and then returns a response (step 412), after which the process 400 ends. Alternatively, the process 400 may return to step 408 above if further requests with the JLVSession cookie are submitted.

Chiang, paragraphs 0054-0055 (emphasis added).

As the emphasized text and surrounding context shows, *Chiang* is directed to identifying a user by using a cookie associated with the particular user. The runtime environment retrieves the instance of a user object corresponding to that particular user, and passes the request to the user object. The user object, in turn, uses the URL within the request to identify the web application that is targeted. However, as shown above, multiple requests are performed. *For each request*, *Chiang* performs this step. Thus, each request contains a separate URL to identify the web application.

In contrast, the invention of claim 1 requires directing a request to a selected application within a set of applications using "the" URL and the user identification. Thus, the claimed method uses a single URL, in conjunction with the user identification, to direct a request. *Chiang* does not show this claimed feature. Thus, *Chiang* does not anticipate claim 1.

Claims 10, 12, and 21 all contain limitations similar to those presented in claim 1. Hence, *Chiang* does not anticipate claims 10, 12, and 21 for the reasons stated above. In addition, *Chiang* does not anticipate claims 3, 14, and 23 at least by virtue of their

dependence on claims 1, 12, and 21, respectively. Therefore, the rejection of claims 1, 3, 10, 12, 14, 21 and 23 under 35 U.S.C. § 102(e) has been overcome.

Furthermore, *Chiang* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. *Chiang* actually teaches away from the presently claimed invention because it teaches using multiple URLs to identify multiple applications within a set of applications as opposed to using a single URL to identify multiple applications within a set of applications as in the presently claimed invention. Absent the examiner pointing out some teaching or incentive to implement *Chiang* and the claimed invention, one of ordinary skill in the art would not be led to modify *Chiang* to reach the present invention when the reference is examined as a whole. As shown below, one of ordinary skill would not be motivated to combine or modify the references in the manner the examiner suggests. Absent some teaching, suggestion, or incentive to modify *Chiang* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

III. 35 U.S.C. § 103, Asserted Obviousness

III.A Asserted Obviousness of Claims 2, 13, and 22

The examiner rejects claims 2, 13, and 22 under 35 U.S.C. § 103(a) as obvious over *Chiang* in view of *Modi et al., Method for Distributing Packets to Server Nodes Using Network Client Affinity and Packet Distribution Table*, U.S. Patent 6,587,866 (Jul. 1, 2003) (hereinafter "*Modi*"). This rejection is respectfully traversed.

The examiner states:

As per claim 2, *Chiang* fails to explicitly teach the method of claim 1, wherein the user identification is an Internet Protocol address of a node originating the request.

Modi teaches a method of directing a user request to an instance of an application based on the IP address of the user (col. 10, lines 30-45).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of *Chiang* and *Modi* to use the IP address of a node associated with the user to select an application because they both deal with routing users

to a specific application instance based on user identification. Furthermore, the teaching of *Modi* to use the IP address of the node associated with the user allows directing the user to the correct application for client devices and security situations where the use of cookies as taught by *Chiang* is not available (See *Chiang* Paragraph 0009).

Claims 13 and 22 are rejected for the same reasons as claim 2.
Office Action of February 15, 2005 (p.5)

Neither reference provides any indication that the method used by *Modi* would be at all functional in the method used by *Chiang*. Indeed, *Chiang* appears to indicate that the method used by *Modi* would not be helpful in *Chiang* because *Chiang* requires the use of cookies whereas *Modi* specifically avoids the use of cookies. Thus, when the references are viewed as a whole, one of ordinary skill would recognize that *Chiang* and *Modi* could not be combined in the manner suggested by the examiner. Accordingly, claims 2, 13, and 22 are non-obvious.

In addition, the examiner has failed to state a *prima facie* obviousness rejection of claims 2, 13, and 22 because the proposed combination does not result in the claimed inventions. As shown above with respect to claim 1, *Chiang* does not show all of the features of the independent claims from which claims 2, 13, and 22 depend. *Modi*, which is directed to a scalable cluster system that provides scalable services for client applications, fails to cure the lack of disclosure in *Chiang* in this regard. Thus, the proposed combination does not result in the claimed inventions. Accordingly, the rejections should be withdrawn.

In addition, the examiner has failed to state a *prima facie* obviousness rejection of claims 2, 13, and 22 because the examiner has failed to provide a proper motivation to combine the references. The examiner states it would have been obvious to combine the references because both references deal with routing users to a specific application instance based on user identification. However, this statement does not provide a motivation to combine the references. Many references may deal with routing users to a specific application instance based on user identification, but a specific motivation must be present in one of the references in order to combine that reference with *Chiang*. The examiner has failed to provide that motivation and thus has failed to state a *prima facie* obviousness rejection of claims 2, 13, and 22.

The examiner goes on to state that:

Furthermore, the teaching of *Modi* to use the IP address of the node associated with the user allows directing the user to the correct application for client devices and security situations where the use of cookies as taught by *Chiang* is not available

Office Action of February 15, 2005, p. 5. However, the examiner's statement still fails to provide a motivation to combine the references. At most, the statement suggests an advantage to combining the references; however, the examiner provides no reason for why one of ordinary skill would recognize the advantage in the first place. Thus, the statement is not a motivation to combine the references. Accordingly, the examiner has failed to state a *prima facie* obviousness rejection of claims 2, 13, and 22.

In addition, the examiner's statement does not make sense in the context of the claimed inventions because *Modi* is directed to directing requests to different servers within a node. The paragraph the examiner cites provides as much, as shown below:

If the service is a scalable service, the system determines to which server node to send the packet. In doing so, the system first determines whether the service group associated to the service of the packet has a load balancing policy type with client affinity (step 605), i.e., whether the load balancing policy type is client affinity or wild card client affinity. If so, the system hashes the client IP address over PDT 304 to select a bucket from PDT 304 (step 606). If not, the system hashes the client IP address and the port number to select a bucket from the PDT 304 (step 607). It should be noted that when the policy type is a client affinity policy, only the client address is hashed (as opposed to both the client address and port number). This is important in any systems where a single source may have multiple parallel connections with a server that needs to combine the information from the parallel connections (as for example while listening to an internet broadcast, one connection may be used to receive the broadcast and another connection may be used to control the broadcast.) When client affinity is not required, hashing both the client address and client port statistically tends to provide better load balancing.

Modi, col. 10, ll. 26-46.

In contrast, *Chiang* is directed to directing to tracking multiple users using multiple instances of a Web-based application. In greater contrast, the claimed inventions are directed to using a single URL and a user identification to direct a request to a selected application within a set of applications. The two references are directed to entirely different subject matters. Neither reference provides any indication that the

method used by *Modi* would be at all functional in the method used by *Chiang*. Indeed, *Chiang* appears to indicate that the method used by *Modi* would not be helpful in *Chiang* because *Chiang* requires the use of cookies. Thus, the statement that the method of *Modi* can be used with the method of *Chiang* does not make sense in the context of the claimed inventions. In addition, one ordinary skill could not recognize that the very different systems might be compatible in some way. Accordingly, the examiner has failed to state a proper motivation to combine the references and has failed to state *prima facie* obviousness rejections of claims 2, 13, and 22.

In addition, claims 2, 13, and 22 are non-obvious in view of *Chiang* and *Modi*. As shown above, the subject matter of each reference is completely different from the other reference. Thus, one of ordinary skill would have no reason or motivation to combine the references at all, much less to achieve the claimed inventions. Accordingly, the claimed inventions are non-obvious in view of *Chiang* and *Modi* when *Chiang* and *Modi* are considered as a whole.

Similarly, *Chiang* and *Modi* represent complete solutions to the problem that each reference represents. *Chiang* and *Modi* are as described above and each reference is distinct from the other. Because each solves the problem that each reference presents, one of ordinary skill would have no reason or motivation to combine the references. Thus, claims 2, 13, and 22 are non-obvious in view of *Chiang* and *Modi*.

The proposed combination does not result in the claimed inventions. In addition, the claims are non-obvious in view of *Chiang* and *Modi*. Therefore, the rejection of claims 2, 13 and 22 under 35 U.S.C. § 103(a) has been overcome.

III.B Asserted Obviousness of Claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29

The examiner rejects claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 under 35 U.S.C. § 103(a) as obvious over *Chiang* in view of *House et al.*, Remote Scripting of Local Objects, U.S. Patent 6,188,400 (Feb. 13, 2001) (hereinafter "*House*"). This rejection is respectfully traversed.

The examiner states:

Chiang fails to explicitly teach assigning each of the plurality of applications a universal resource locator different from the first

locator and using a particular assigned universal resource locator to direct the user to a particular application.

House teaches assigning each universal resource locators to each individual application and using the individual applications to direct a request to the specific application (col. 6, lines 63-67; col. 7, lines 31-37).

It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of *Chiang* and *House* because they both deal with directing a user request to a specific application. Furthermore, the teaching of *House* to use a universal resource locator to specify the location of the application would allow specifying different servers for individual applications thus allowing load balancing and addressing specific needs of an individual user.

Office Action of February 15, 2005 (pp. 6-7)

The examiner has failed to state a *prima facie* obviousness rejection of claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 because the proposed combination does not result in the claimed inventions. As shown above with respect to claim 1, *Chiang* does not show all of the features of the independent claims from which claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 depend. *House*, which is directed to remote scripting of local objects, fails to cure the lack of disclosure in *Chiang* in this regard. Thus, the proposed combination does not result in the claimed inventions. Accordingly, the rejections should be withdrawn.

In addition, the examiner has failed to state a *prima facie* obviousness rejection of claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 because the examiner has failed to provide a proper motivation to combine the references. The examiner states it would have been obvious to combine the references because both references deal with directing a user request to a specific application. However, this statement does not provide a motivation to combine the references. Many references may deal with directing a user request to a specific application, but a specific motivation must be present in one of the references in order to combine that reference with *Chiang*. The examiner has failed to provide that motivation and thus has failed to state a *prima facie* obviousness rejection of claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29.

The examiner goes on to state that:

Furthermore, the teaching of *House* to use a universal resource locator to specify the location of the application would allow

specifying different servers for individual applications thus allowing load balancing and addressing specific needs of an individual user.

Office Action of February 15, 2005, p. 7. However, the examiner's statement still fails to provide a motivation to combine the references. At most, the statement suggests an advantage to combining the references; however, the examiner provides no reason for why one of ordinary skill would recognize the advantage in the first place. Thus, the statement is not a motivation to combine the references. Accordingly, the examiner has failed to state a *prima facie* obviousness rejection of claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29.

In addition, the examiner's statement does not make sense in the context of the claimed inventions because *House* is directed to remote scripting of local objects. *House* provides that:

The method comprises the steps of executing an applet in a browser in a remote client computer, thereby generating control information, transmitting the control information to the Web server to initiate execution of a script in the Web server and generate output data therefrom, and transmitting the script output from the network server to the browser. This output data can be thereafter used to execute another applet in the client browser. The output data need not comprise an entire HTML page, but may comprise only a portion of the page as required to display the required information.

House, col. 2, ll. 42-52.

In contrast, *Chiang* is directed to directing to tracking multiple users using multiple instances of a Web-based application. In greater contrast, the claimed inventions are directed to using a single URL and a user identification to direct a request to a selected application within a set of applications. The two references are directed to entirely different subject matters. Neither reference provides any indication that the method used by *House* would be at all functional in the method used by *Chiang*. Indeed, *House* is irrelevant to the method used by *Chiang*. Thus, the statement that the method of *House* can be used with the method of *Chiang* does not make sense in the context of the claimed inventions. In addition, one ordinary skill could not recognize that the very different systems might be compatible in some way. Accordingly, the examiner has

failed to state a proper motivation to combine the references and has failed to state *prima facie* obviousness rejections of claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29.

In addition, claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 are non-obvious in view of *Chiang* and *House*. As shown above, the subject matter of each reference is completely different from the other reference. Thus, one of ordinary skill would have no reason or motivation to combine the references at all, much less to achieve the claimed inventions. Accordingly, the claimed inventions are non-obvious in view of *Chiang* and *House* when *Chiang* and *House* are considered as a whole.

Similarly, the section of text cited by the examiner is incidental to the function described by *House* and is irrelevant to the function of *Chiang*. The section of text cited by the examiner is as follows:

When FORM 1 is displayed by the browser 108 and when a command button applet is "pressed", the associated Java applet invokes a universal resource locator (URL) to communicate with the running instance of the application on the network server 110.
House, col. 6, ll. 63-67.

When the interface from the applet to the network server 110 is HTTP, a sample URL for the above might look like:

"http: // www.someco.com / cgi-bin / OurProduct ? app = APP1 +
appinstance = ab12cdef + form = FORM1 + control =
COMMAND_BUTTON1 + event = ButtonClick + other1 =
INPUT_AREA1 (user input from input_area1) + other2 ="

House, col. 7, ll. 31-37.

The cited text discusses invoking a URL to communicate with a running instance of an application and then provides an example of a sample URL. The cited text is incidental to the main purpose of *House*, which is to perform remote scripting of local objects. One of ordinary skill, upon reading *House*, would not recognize or be motivated to combine *House* and *Chiang* at all, much less in the manner proposed by the examiner, because the attention of one of ordinary skill would be directed to the main purpose of *House* and not to incidental matters. For this reason, no motivation exists to combine the references and claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 are therefore non-obvious in view of *Chiang* and *House*.

Similarly, *Chiang* and *House* represent complete solutions to the problem that each reference represents. *Chiang* and *House* are as described above and each reference

is distinct from the other. Because each solves the problem that each reference presents, one of ordinary skill would have no reason or motivation to combine the references. Thus, claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 are non-obvious in view of *Chiang* and *House* when the references are considered as a whole.

The proposed combination does not result in the claimed inventions. In addition, the claims are non-obvious in view of *Chiang* and *House*. Therefore, the rejection of claims 6, 7, 9, 11, 17, 18, 20, 26, 27, and 29 U.S.C. § 103(a) has been overcome.

III.C Asserted Obviousness of Claims 4, 5, 15, 16, 24, and 25

The examiner rejects claims 4, 5, 15, 16, 24 and 25 under 35 U.S.C. § 103(a) as obvious over *Chiang* in view of *Dutta et al.*, Application Service Provider Upgrades, U.S. Patent Publication 2004/0015950 (Jan. 22, 2004) (hereinafter "*Dutta*"). This rejection is respectfully traversed.

Dutta is not prior art with respect to this application because the exception provided under 35 U.S.C. § 103(c) applies. This law provides that:

(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

35 U.S.C. § 103(c)

This application was filed October 18, 2001. *Dutta* was published January 22, 2004 and was filed May 10, 2001. Thus, *Dutta* can only qualify as a reference under 35 U.S.C. § 102(e). Furthermore, both *Dutta* and the present application were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person: International Business Machines Corporation. Therefore, in the light of 35 U.S.C. § 103(c), *Dutta* is not prior art with respect to the present application. Accordingly, the rejection of claims 4, 5, 15, 16, 24, and 25 is moot and should be withdrawn.

III.D Asserted Obviousness of Claims 8, 19, and 28

The examiner rejects claims 8, 19, and 28 under 35 U.S.C. § 103(a) as obvious over *Chiang* and *House* as applied to claims 7, 18, and 27 and further in view of *Modi*. This rejection is respectfully traversed.

The examiner has failed to state a *prima facie* obviousness rejection of claims 8, 19, and 28 because the proposed combination does not result in the claimed inventions. As shown above with respect to claim 1, *Chiang* does not show all of the features of the independent claims from which claims 8, 19, and 28 depend. *House*, which is directed to remote scripting of local objects, fails to cure the lack of disclosure in *Chiang* in this regard. Similarly, *Modi*, which is directed to a scalable cluster system that provides scalable services for client applications, also fails to cure the lack of disclosure in *Chiang* in this regard. Thus, the proposed combination does not result in the claimed inventions. Accordingly, the rejections should be withdrawn.

In addition, as shown above, the statements offered by the examiner do not constitute a proper motivation to combine the references. Thus, again, the examiner has failed to state a *prima facie* obviousness rejection of claims 8, 19, and 28.

In addition, claims 8, 19, and 28 are non-obvious in view of *Chiang*, *Modi*, and *House*. As shown above, the subject matter of each reference is completely different from the other reference. Thus, one of ordinary skill would have no reason or motivation to combine the references at all, much less to achieve the claimed inventions. Accordingly, the claimed inventions are non-obvious in view of *Chiang*, *Modi*, and *House* when the references are considered as a whole.

Similarly, *Chiang*, *Modi*, and *House* represent complete solutions to the problem that each reference represents. Each reference is as described above and each reference is distinct from the other. Because each solves the problem that each reference presents, one of ordinary skill would have no reason or motivation to combine the references. Thus, claims 8, 19, and 28 are non-obvious in view of the cited references.

The proposed combination does not result in the claimed inventions. In addition, the claims are non-obvious in view of *Chiang*, *Modi*, and *House*. Therefore, the rejection of claims 8, 19, and 28 under 35 U.S.C. § 103(a) has been overcome.

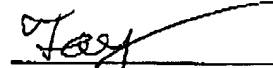
IV. Conclusion

It is respectfully urged that the subject application is patentable over *Chiang, Modi, House, and Dutta* and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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